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CITY AND COUNTY OF SAN FRANCISCO

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

KAIMIN JIMMY JEN,

Plaintiff,

vs.

CITY AND COUNTY OF SAN  
FRANCISCO, SAN FRANCISCO, DENNIS  
HERRERA, RAFAEL TORES-GIL, MIKE  
KLOSE and DOES 4-50,

Defendants.

Case No. CV-15-3834 HSG

**CITY AND COUNTY OF SAN FRANCISCO'S  
ADMINISTRATIVE MOTION TO CONTINUE  
CASE MANAGEMENT CONFERENCE;  
DECLARATION IN SUPPORT;  
ORDER**

**[UNOPPOSED]**

**[CIVIL LOCAL RULE 6-3]**

**ADMINISTRATIVE MOTION TO CONTINUE CASE MANAGEMENT CONFERENCE  
(UNOPPOSED)**

Pursuant to Civil Local Rule 6-3, Defendant City and County of San Francisco ("San Francisco") respectfully moves the Court to continue the case management conference, set for Tuesday July 19, 2016, at 2 p.m. (per the Court's Order of yesterday, Dkt. No. 29), to a new date of Tuesday August 2, 2016, at 2 p.m.

Mr. Jen does not oppose the motion and has agreed with the request. (Exh. A.) The matters to be addressed under Civil Local Rule 6-3 are addressed in the following declaration of counsel.

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**DECLARATION OF PETER J. KEITH REGARDING GOOD CAUSE**

I, Peter J. Keith, declare as follows:

1. I am a Deputy City Attorney for the San Francisco City Attorney's Office, counsel of record in this case for defendant City and County of San Francisco. Unless otherwise indicated, I have personal knowledge of the facts set forth below.

2. Yesterday, on July 11, 2016, the Court issued its Order on San Francisco's motion to dismiss and special motion to strike, which were heard on January 21, 2016. Dkt. No. 29. The Court's Order of July 11, 2016 also set a case management conference for Tuesday July 19, 2016 at 2 p.m. *Id.*

3. Good cause for continuance of the case management conference exists, in that I have a pre-existing calendar conflict on Tuesday July 19. On the following Tuesday July 26 at 2 p.m., I have another pre-existing calendar conflict; furthermore, the Court's scheduling notes on the Northern District website indicates that the Court is not setting hearings on that date. I am available on August 2 at 2 p.m.

4. Mr. Jen has agreed to the requested continuance. A true and correct copy of Mr. Jen's email agreeing to the request is attached as Exhibit A.

5. There has been no previous request to continue this case management conference. The only prior request to modify a schedule in this case was when San Francisco requested two additional days to file its reply brief, after Mr. Jen's opposition brief was filed late. Dkt. No. 20.

6. The requested continuance is not expected to affect any other deadline in the case.

I declare under penalty of perjury of the laws of the United States and of California that the foregoing is true and correct. Executed this 12th day of July 2016, in San Francisco, California.

/s/ Peter J. Keith

PETER J. KEITH

[continued on following page]

**CONCLUSION**

For the foregoing reasons, San Francisco respectfully requests that the Court continue the case management conference from July 19, 2016 at 2 p.m. to August 2, 2016 at 2 p.m.

Dated: July 12, 2016

DENNIS J. HERRERA  
City Attorney  
CHERYL ADAMS  
Chief Trial Deputy  
PETER J. KEITH  
Deputy City Attorney

By: /s/ Peter J. Keith  
PETER J. KEITH

Attorneys for Defendant  
CITY AND COUNTY OF SAN FRANCISCO

**ORDER**

Based on the above unopposed motion and good cause appearing, the Court ORDERS that the case management conference currently set for Tuesday July 19, 2016, at 2 p.m. is continued to Tuesday August 2, 2016, at 2 p.m.

IT IS SO ORDERED.

Dated: July 15, 2016

  
THE HONORABLE HAYWOOD S. GILLIAM JR.  
UNITED STATES DISTRICT JUDGE

**PROOF OF SERVICE**

I, SOPHIA GARCIA, declare as follows:

I am a citizen of the United States, over the age of eighteen years and not a party to the above-entitled action. I am employed at the City Attorney's Office of San Francisco, Fox Plaza Building, 1390 Market Street, Sixth Floor, San Francisco, CA 94102.

On July 12, 2016, I served the following document:

**CITY AND COUNTY OF SAN FRANCISCO'S ADMINISTRATIVE MOTION TO  
CONTINUE CASE MANAGEMENT CONFERENCE;**

**DECLARATION IN SUPPORT;**

**[PROPOSED] ORDER**

**[UNOPPOSED]**

**[CIVIL LOCAL RULE 6-3]**

on the following persons at the locations specified:

Kaimin Jimmy Jen  
450 Taraval Street, #129  
San Francisco, CA 94116  
Telephone: 415-688-0256  
Email: deltadesign5138@gmail.com  
*Plaintiff in Pro Per*

in the manner indicated below:



**BY UNITED STATES MAIL:** Following ordinary business practices, I sealed true and correct copies of the above documents in addressed envelope(s) and placed them at my workplace for collection and mailing with the United States Postal Service. I am readily familiar with the practices of the San Francisco City Attorney's Office for collecting and processing mail. In the ordinary course of business, the sealed envelope(s) that I placed for collection would be deposited, postage prepaid, with the United States Postal Service that same day.

I declare under penalty of perjury pursuant to the laws of the State of California that the foregoing is true and correct.

Executed July 12, 2016, at San Francisco, California.

/s/ Sophia Garcia

SOPHIA GARCIA